



State of Vermont
Agency of Human Services
280 State Drive
Waterbury, VT 05671-1000

Global Commitment Register

April 4, 2016

GCR 16-012
PROPOSED

VPharm Rule Update

Policy Summary:

The Agency of Human Services (AHS) has filed a proposed rulemaking with the Office of the Secretary of State (SOS) to amend VPharm Rules 5420 and 5430. The Department of Children Services/Economic Services Division (DCF/ESD) VPharm Rule at 5400 et seq. sets forth eligibility criteria for the VPharm Program. VPharm assists eligible persons in paying for prescription drugs.

The proposed rules are not in effect, but if adopted following the full rulemaking process these rules will supersede VPharm Rules 5420 and 5430 that became effective on January 1, 2006.

The proposed changes will permit AHS to conduct rolling renewals for VPharm enrollees instead of renewing all enrollees in June of each year as the rule currently requires. The proposed rule will also change VPharm eligibility by requiring that AHS terminate VPharm assistance when an enrollee becomes ineligible for VPharm, including due to income.

The proposed rule is necessary in order to align the rule with 33 V.S.A. § 2077(a) (requires termination of assistance when an enrollee becomes ineligible) and 33 V.S.A. § 2077(c) (requires applications be reviewed annually and authorizes rolling renewals).

The Secretary of State proposed rulemaking website and other additional information can be found below.

Effective Date:

Proposed rulemaking was posted on the Secretary of State website on March 30, 2016.

Authority/Legal Basis:

VPharm: 33 V.S.A. §§ 2077(a), 2077(c)

Adopting and rulemaking: 3 V.S.A. §§ 801(b)(11), 838, 3052, 3053; 33 V.S.A. §§ 105, 1901 (a)(1), 2081(e)

Population Affected:

VPharm applicants and enrollees.

Fiscal Impact:

It is estimated that implementation of these changes will cost the State of Vermont \$50,000. If these changes are implemented, they are projected to save the State an estimated \$364,083 in fiscal year 2017.

Public Comment Period:

Present until May 6, 2016

Send comments to: Linda.Mclemore@vermont.gov

Additional information:

The SOS references this proposed rulemaking on its website as Rule 16P008. The posting can be viewed electronically at: <https://secure.vermont.gov/SOS/rules/>.

DCF/ESD Bulletin No. 16-10P, which describes this proposed rulemaking, and the annotated and non-annotated proposed rule can be seen electronically at: <http://dcf.vermont.gov/esd/laws-rules/proposed-adopted>.

VPharm Rules that are currently in effect can be viewed electronically at: <http://humanservices.vermont.gov/on-line-rules/esd/vpharm-5400/view>.

To get more information about the rulemaking process, see the website of the Office of the Secretary of State at <https://www.sec.state.vt.us/administrative-rules.aspx>.